

**Daniel**  
**Wall/SUPR/R7/USEPA/US**  
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To wherst  
cc mhockley, Cheryle Micinski, Gene Gunn, Eric Gilstrap,  
shawn.muenks, darrick.steen  
bcc  
Subject West Lake OU 2 FS

Ward,

Attached are EPA's comments on the Draft FS. These comments are a general description of what we discussed on the phone last week. Call me if we need to discuss this further.

Regards,

Dan



OU 2 FS comments 5-10-06.doc

Comments:

1. The Demolition Landfill and the Former Active Sanitary Landfill are subject to permits with the State. The closure and post-closure requirements under the Missouri Solid Waste Rules for Sanitary Landfills and Demolition Landfills are applicable. The appropriate ARAR determination for these landfills is to describe the permit status and the applicable requirements. We will want to determine that these requirements are compatible with the remedies for the other landfills. Discussion on the permitted landfills should be taken out of the evaluation of relevant and appropriate requirements and the evaluation of alternatives. We want to include the permits, closure plans, and post-closure and monitoring plans in the Administrative Record.
2. Section 2.0 ARARs – The Inactive Sanitary Landfill should be the focus the relevant and appropriate determinations. Because it is sufficiently similar to a sanitary landfill, the principal relevant and appropriate requirements for the Inactive Sanitary Landfill will come from the Missouri Solid Waste Rules for Sanitary Landfills. The discussion should reflect this. Most of the closure, post-closure and monitoring requirements are relevant and appropriate. The determination that leachate collection requirements are not appropriate to this case should be made on a technical basis.
3. Section 2.0 ARARs - Extraneous arguments should be removed. For example, whether or not existing conditions already meet certain requirements is not relevant to the ARAR determination. If existing conditions already meet certain requirements, it would be appropriate to describe that as part of the description of the remedial alternative.
4. Sections 4.0 and 5.0, Development of Alternatives. In its current form, the three action alternatives are essentially the same alternative (capping), distinguished by different design requirements. This approach conflicts with the existing and appropriate ARAR analysis, and, in any event, only one of the alternatives meets ARARs. It also is not consistent with the typical FS approach, which is to develop basic remedial alternatives and draw major distinctions. The Presumptive Remedy approach, intended to streamline the typical FS approach, assigns containment as the preferred alternative. The specific cap requirements should be assigned through ARAR determination. Therefore, No action and Containment (w/ hot spot analysis) are the only alternatives in this case.